

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF BEE CAVE
April 9, 2013

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy, Mayor
Zelda Auslander, Council Member
Steve Braasch, Council Member
Bill Goodwin., Council Member
Jack McCool, Mayor Pro Tem

Absent:

Bob Dorsett, Council Member

City Staff:

Frank Salvato, City Administrator
Patty Akers, City Attorney
Kaylynn Holloway, City Secretary
Katie Griffin, Director of Finance
Lindsey Withrow, Director of Community Services
Giancarlo Patino, City Engineer
Amy Kelley, Chief Technology Officer
Daeric Graeber, Systems Analysis
Bill Pitmon, Detective

Call to Order and Announce a Quorum is Present

With a quorum present, the regular meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:00 p.m. on Tuesday, April 9, 2013 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

Minutes

MOTION: A motion was made by Council Member Braasch, seconded by Mayor Pro Tem McCool, to approve the minutes of the Regular meeting on March 26, 2013 as corrected.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on the site and NPS plan for Ladera Phase 4A and 4B, located on Ladera Blvd, behind Home Depot.

City Engineer Giancarlo Patino presented this item.

Adib Khoury, with Taylor Morrison, answered questions about notifying their new home buyers that they were buying a home next to a music venue.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Braasch, to approve the site and NPS plan for Ladera Phase 4A and 4B subject to the posting of the additional fiscal security.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on the site plan amendment for Hill Country Galleria, Building O, Suite O-130 located at 12701 Hill Country Blvd.

Mr. Patino presented this item.

Adrian Overstreet, Managing Member of the Hill Country Galleria, spoke on this item and requested that the City Administrator be allowed to approve items like this one administratively. He stated that he had a client back out of moving to the Galleria because of the length of time it took to go through the approval process.

Carroll Killebrew, 5410 Great Divide, urged the Council to consider the implications of having entrance signs on the back of the buildings.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Auslander, to approve the site plan amendment for Building O, Suite 130.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on the site plan amendment for the Hill Country Galleria, Lot 15, Block A, Pad Site Improvements – Phase 1, located at 12532 FM 2244 (Schmidt BBQ).

Mr. Patino presented this item.

Mr. Overstreet spoke about the landscaping on the property and the screening of the parking lot.

Chad Franks, General Manager of Schmidt BBQ, commented about adding a neatly stacked wood pile that would help screen the side of the elevation from Bee Cave Road.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Braasch, to approve the site plan amendment, Phase 1, as presented.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action regarding the Bee Cave Arts Foundation's concept for a Sculpture Park, Phase 1 and proposed budget and funding.

Chad Bockius, President of the Bee Cave Arts Foundation, presented their concept plan for the sculpture park.

The City Council addressed the landscaping and the additional maintenance cost for the City. They agreed that the \$1000 for maintenance would be added to the budget.

MOTION: A motion was made by Council Member Braasch, seconded by Mayor Pro Tem McCool, to approve \$9,935.00 for Phase I of the sculpture park.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

The City Council recessed at 7:38 p.m. and reconvened at 7:44 p.m.

Discuss and consider action on the Site and NPS plan, request for Alternative Water Quality Controls (Section 20.04.050 (f) - Required Water Quality Controls), and Spray Easement (Retention/Irrigation) by separate instrument for Bella Colinas subdivision – Section One, located at 15801 West Highway 71 within Bee Cave extra-territorial jurisdiction.

City Engineer Giancarlo Patino presented this item.

Anthony Wyman, Vice President of Meritage Homes, addressed this item.

City Administrator Frank Salvato commented on the Declaration of Easements and Restrictive Covenants regarding the Maintenance of Water Quality Facilities. He stated that all references in the agreement to the water quality monitoring will be removed and added to a water quality monitoring plan.

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Goodwin, to approve the site and NPS plan for Bella Colinas and request for alternative water quality controls conditioned upon a water quality monitoring plan be devised and approved by Staff and will include language from paragraphs 6 and 7 in the Declaration of Easements and Restrictive Covenants agreement.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on the Final Plat and an Exception Request to Section 30.03.003(e) [Dedication of Easements by Separate Instrument] for Cielo Homes Phase 2,

located on the northeast side of RR 620 near Falconhead Boulevard in Bee Cave's Extra Territorial Jurisdiction.

Discuss and consider action on the Site and NPS plan for Cielo Homes Phase 2, located on RR 620 near Falconhead Boulevard within Bee Cave extra-territorial jurisdiction including one exception request and one variance request; (1- Exception) Sections 30.03.010 – Storm water and conveyance, and (2- Variance) City of Austin Environmental Criteria Manual; Section 1.6.7 (A) Retention/Irrigation Systems.

Director of Community Services Lindsey Withrow and Mr. Patino presented the above items.

Ben Montgomery of Madrone Apartments and Alex Reyna, Traffic Engineer, spoke on the ingress and egress from Cielo. Traffic will be allowed to pull on the shoulder of the property line to enter the development. He stated that TXDOT was more concerned with the internal circulation rather than the external circulation.

Mr. Montgomery stated that they would comply with the lighting limitations and dark sky ordinances.

Monty Parker, 242 Sunrise Ridge Cove, encouraged the Council to grant the variance and exception request to help preserve the land and leave more of the natural vegetation.

Executive Session on above items.

The City Council closed the Open Session at 8:40 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Executive session in accordance with the Texas Government Code, Section 551.071 – Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law.

The City Council closed the Executive Session at 9:38 p.m. and reconvened in Regular Session in the Council Chambers.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Braasch, to approve the final plat and exception request for Cielo Homes, Phase 2 subject to plat notes being added to comply with the Lighting and Glare Standards ordinance, comply with City's Noise Ordinance, limit outdoor construction between 7am-7pm Monday through Saturday with no construction activity on Sunday and adjust the configuration of the two parking lots to reduce the number of spaces, reduce the limits of construction, preserve more natural vegetation and add additional landscaping to screen glare from headlights.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Braasch, to postpone consideration of the site and NPS plan for Cielo Homes, Phase 2 until the next meeting.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on the Site and NPS plan for the West Bee Cave Interceptor Parts 1 & 2 utility improvements within the southwestern portion of the city's corporate limits and extra-territorial jurisdiction requested by Masonwood 71, LTD.

MOTION: A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem McCool, to approve the site and NPS plan for the West Bee Cave Interceptor Parts 1 and 2.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on an amendment to the Special Events Permit for Revival located at 13308 W. Highway 71.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Auslander, to approve the amendment to the Special Events Permit for Revival.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

David Camp, owner of Revival, spoke on the City's approval process for projects.

Discuss and consider action on the appointment of members to the Planning and Zoning Commission, Position 4 and 6.

Mayor Murphy nominated Jack Timmins for Position 6.

Council Member Braasch, speaking on behalf of Council Member Dorsett, nominated Jim Miles for Position 4.

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Auslander, to appoint Jack Timmins to Position 6 and Jim Miles to Position 4.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Adjournment

MOTION: A motion was made by Mayor Pro Tem McCool, seconded by Council Member Goodwin, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

The City Council adjourned the meeting at 9:52 p.m.

PASSED AND APPROVED THIS _____ DAY OF _____, 2013.

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Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary